

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY

FREDERICK SHAWNEE CARTER,

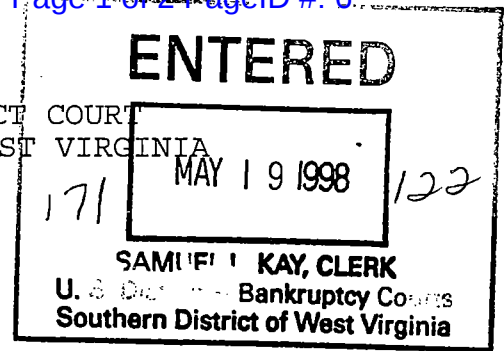
Plaintiff,

v.

CIVIL ACTION NO. 5:96-0436

LEE JONES, Gauley Bridge City
Police Chief, et al.,

Defendants.



JUDGMENT ORDER

By Standing Order, this action was referred to United States Magistrate Judge Mary S. Feinberg for submission of findings and recommendations regarding disposition pursuant to 28 U.S.C. § 636(b)(1)(B). Magistrate Judge Feinberg submitted to the court her Findings and Recommendation on April 29, 1998, in which she recommended that the District Court grant the motion for summary judgment filed by defendants Fayette County Sheriff's Department/Sheriff, Mitch Canterbury, Jim Sizemore, Pete Lopez, Lawrence Washington, Everette Steele, and Chuck Moses.

In accordance with the provisions of 28 U.S.C. § 636(b), the parties were allotted ten days, plus three mailing days, in which to file any objections to Magistrate Judge Feinberg's Findings and Recommendation. The failure of any party to file such objections constitutes a waiver of such party's right to a de novo review by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989).

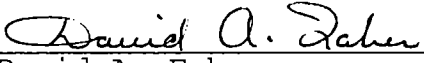
Plaintiff failed to file any objections to the Magistrate Judge's Findings and Recommendation within the

thirteen-day period. Having reviewed the Findings and Recommendation filed by Magistrate Judge Feinberg, the court adopts the findings and recommendations contained therein. Accordingly, the court hereby GRANTS defendants' motion for summary judgment. Having previously entered judgment in favor of the other defendants, the court further ORDERS that the Clerk remove this action from the active docket of the court.

The Clerk is directed to forward a certified copy of this Order to plaintiff, pro se, and counsel of record.

IT IS SO ORDERED this 19th day of May, 1998.

ENTER:



David A. Faber
United States District Judge